

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for voluntary)	DOCKET NO. 900973-TI
cancellation of certificate no. 1530)	
issued to DIGITAL SIGNAL, INC. to)	ORDER NO. 24115
provide interexchange telecommunications)	
service)	ISSUED: 2/15/91
)	

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
 BETTY EASLEY
 FRANK S. MESSERSMITH
 MICHAEL MCK. WILSON

NOTICE OF PROPOSED AGENCY ACTION
ORDER CANCELLING CERTIFICATE NO. 1530

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are adversely affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

On December 11, 1990, Digital Signal, Inc. (Digital or the Company) filed a petition to cancel its Interexchange Carrier (IXC) Certificate of Public Convenience and Necessity No. 1530 along with all associated tariffs. The Company provides exclusively carrier's carrier service to IXCs. Effective October 1, 1990, Section 364.02(7), Florida Statutes, provides in part that "[t]he term "telecommunications company" does not include an entity which provides a telecommunications facility exclusively to a certificated telecommunications company" Accordingly, the Company, as a carrier's carrier, is no longer required to be certificated. Additionally, pursuant to Rule 25-24.474, the Company's request for cancellation satisfies our requirements for cancellation of a certificate.

It is therefore,

ORDERED by the Florida Public Service Commission that the request of Digital Signal, Inc. for the cancellation of Interexchange Carrier Certificate of Public Convenience and Necessity No. 1530 is hereby approved. It is further

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ORDERED that this docket shall be closed if no protest is filed in accordance with the requirements set forth below.

By ORDER of the Florida Public Service Commission, this
15th day of FEBRUARY, 1991.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

PAK

by: Kay Flynn
Chief, Bureau of Records

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and

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Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on March 11, 1991.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the effective date of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.